**THE HON'BLE SRI JUSTICE BILAL NAZKI**
**AND**
**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION No.23839 of 2007**

**Dated: 12-11-2007**

**Between:**

Nagarjuna Hi-Tech Constructions,
Rep. By its Managing Partner,
A.Niranjana Rao.

...Petitioner

**and**

The Joint Commissioner (CT) Legal,
Hyderabad and another.

...Respondents

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**Order: (Per The Hon'ble Sri Justice Bilal Nazki)**

Heard learned Counsel for the parties and with their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending an appeal before

the Sales Tax Appellate Tribunal, application for stay was dismissed by the competent authority. We have gone through the record. We feel that the interest of justice would be met if stay is granted pending appeal, subject to deposit of fifty percent of the disputed tax liability. Therefore, we set aside the order of the authority and direct that fifty percent of the disputed tax liability shall be paid by the petitioner within a period of four weeks. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal. The amount already paid by the petitioner shall be given credit to while calculating fifty percent of the disputed tax liability.

The Writ Petition is disposed of accordingly. No costs.

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**(Bilal Nazki, J)**

**Dated 12th November, 2007**

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**(Ramesh Ranganathan, J)**

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